

1 John W. Sigler
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5 Email: JSIGLER@SWS-LLC.COM
6 ***Plaintiff In Propria Persona***

FILED

2023 APR 25 AM 10:11

CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
SANTA ANA

BY: 

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

9 JOHN W. SIGLER,

Case No. **8:22-cv-2325-CJC-JDE**

10 Plaintiff,

**REQUEST FOR ENTRY
OF DEFAULT**

11 vs.

BY THE CLERK

12
13 Jorge Gonzalez, USAA Casualty
14 Insurance Company, Interinsurance
15 Exchange of Automobile Club of
16 Southern California, Imperial Body
17 Shop, Inc., and DOEs 1 to 99,
18 inclusive;

PURSUANT TO RULE 55(a)

19
20 Defendants.

21
22 Comes now Plaintiff John W. Sigler and hereby requests the Clerk to enter a
23 default against the defendant, Jorge Gonzalez, on the basis that the record in
24 this case demonstrates that there has been a failure to plead or otherwise defend
25 as provided by Rule 55(a) of the Federal Rules of Civil Procedure.

26 Important notes for the Clerk are as follows:

27 1. Defendant Jorge Gonzalez was served the Summons and Complaint on
28 March 22, 2023 through his attorney, Ford, Walker, Haggerty, and Behar.

1 2. The original Proof of Service for the initial Summons and Complaint was
2 filed with the Superior Court of California on March 31, 2023 since the original
3 lawsuit was filed in State court and then removed to Federal Court on
4 December 29, 2022.

5 3. An informational copy of the original Proof of Service for Mr. Gonzalez,
6 showing Mr. Gonzalez was served through his attorney on March 22, 2023, was
7 filed with the Federal Court on March 31, 2023 as Document 27.

8 4. Based on service of the Summons and Complaint on the Defendant's
9 attorney on March 22, 2023, as per FRCP Rule 12, and FRCP 81 (c) (2), the
10 Defendant had twenty-one (21) days, or until April 13, 2023 to file a response.


11 5. No response was received from the Defendant by April 13, 2023 so on
12 April 14, 2023 the Defendant was in default.

13 6. On April 24, 2023 the Defendant filed a Waiver of Service of Summons
14 that was created by the Defendant. This document is invalid, it contains
15 falsified dates, and appears to be an attempt to defraud the Plaintiff and the
16 court into believing Mr. Gonzalez is not in default. It is impossible that the
17 Waiver was sent by the Plaintiff, and signed for by the Defendant on the same
18 date.

19 7. An earlier Waiver of the Service of Summons was mailed to the Defendant
20 on March 17, 2023, but the Defendant chose NOT TO RESPOND to that legal
21 Waiver which was due back to the Plaintiff on April 17, 2023, so there is NO
22 VALID WAIVER in effect, and the Defendant is in default.
23

24
25 Respectfully submitted.

26 Dated April 24, 2023

27 
John W. Sigler
Plaintiff in Propria Persona

CERTIFICATE OF SERVICE

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STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am a citizen of the United States and reside at 13129 Stern Avenue, La Mirada, CA 90638. I am over the age of 18 and not a party to the within actions.

On April 25, 2023, I served the document(s) entitled,

1. Request for Entry of Default By Clerk Pursuant to Rule 55(a)
2. Affidavit In Support of Request for Entry of Default

on the interested parties in this action by placing true copies thereof enclosed in a sealed envelope addressed (see attached Service List) as stated below:

(BYMAIL): I deposited such envelope in the mail at La Mirada Post Office, California with postage fully prepaid. I am familiar with the practice of collection and processing correspondence for mailing. Under that practice, it would be placed for mailing, and deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at La Mirada, California, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than 1 day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the United States that the above is true and correct and was executed on April 25, 2023.



AnhThu Nguyen

SERVICE LIST

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Attorney for Defendanty Jorge Gonzalez, and
Attorney for Defendant Interinsurance Exchange of the Automobile Club
(sued herein as Interinsurance Exchange of the Automobile Club of Southern
California)

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